

REMARKS

Claims 15 to 28 are now pending in this application. Applicant respectfully requests reconsideration of the present application in view of this amendment.

Applicant thanks the Examiner for allowing claims 21 to 28. Applicant also thanks the Examiner for indicating that claims 16 to 20 would be allowable if rewritten in independent form including all the limitations of the base claims and any intervening claims.

Claim 15 was rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,182,744 to Askew et al. ("Askew reference") in view of U.S. Patent No. 4,731,783 to Fontanes ("Fontanes reference").

The Askew reference purportedly concerns a restoration system for enhancing reliability of a telecommunications network so that disrupted traffic may be rerouted via a route established "on the fly." Specifically, the Askew reference refers to monitoring each node and link in a network so that when the monitoring detects a faulty link or node, a central controller is notified. The Askew reference refers to the controller as being arranged to locate spare capacity and establish the alternate route.

The Fontanes reference purportedly concerns a frame (T) sub-divided into identical time slots (61, 62, . . . , 6N) of fixed duration, each of which is capable of containing at least one lowest data rate telephone channel. The Fontanes reference refers to these time slots as being assigned on demand so that a new call is spread over one or more bursts which are located in available ones of said time slots, or else in space which may be left available in time slots which are already partially occupied by other, low data rate calls.

In contrast to both the Askew and Fontanes references, claim 15 is directed to a process for controlling a use of a satellite transmission capacity in order to achieve a substitution of out-of-order data lines in terrestrial networks such that an alternative routing via a satellite is initiated and monitored and an assignment is effected with respect to the alternative routing. Claim 15 requires the features of *causing a plurality of controllers controlled by software and respectively allocated to one of a master terminal and a slave terminal to achieve a control that is automatic, decentralized, and local; causing the plurality of controllers to detect a need for the alternative routing based on an analysis of a data control signal from a data transmission device of a user; using a control software to monitor locally and automatically an occupancy state of the satellite*.

transmission capacity; and carrying out software-controlled alternative routing operations via a respective one of the plurality of controllers.

The Askew and Fontanes references, taken alone or in combination, do not teach or suggest each and every feature, as recited in claim 15. Specifically, the Askew and Fontanes references do not teach or suggest, among other features, a plurality of controllers controlled by software and respectively allocated to one of a master terminal and a slave terminal to achieve a control that is automatic, decentralized, and local, in the manner claimed by claim 15. That is, the Askew reference as stated in the Office Action does not teach three of the four steps of claim 15 including: causing a plurality of controllers controlled by software and respectively allocated to one of a master terminal and a slave terminal to achieve a control that is automatic, decentralized, and local; using a control software to monitor locally and automatically an occupancy state of the satellite transmission capacity; and carrying out software-controlled alternative routing operations via a respective one of the plurality of controllers.

The Fontanes reference does not cure the deficiencies of the Askew reference. The Fontanes reference refers to its aims as: to provide a method and a system for demand assignment which require hardly any burst rearrangement within a frame, and to provide a method and a system for demand assignment which provides simple means for inserting video telecommunications channels in an existing frame. The Fontanes reference does not disclose a process for controlling a use of a satellite transmission capacity in order to achieve a substitution of out-of-order data lines in terrestrial networks such that an alternative routing via a satellite is initiated and monitored and an assignment is effected with respect to the alternative routing – and the Fontanes reference does not describe the various process steps of claim 15.

Withdrawal of the rejection of claim 15 (and the objection to claims 16 to 20) under 35 U.S.C. § 103(a) over the Askew reference in view of the 1986 filed Fontanes reference is respectfully requested. Applicant believes that claim 15 and its dependent claims 16 to 20 are now in condition for allowance.

CONCLUSION

In view of the above, it is believed that the rejection of claim 15, and the objection to claims 16 to 20 have been obviated, and that all currently pending claims 15 to 28 are allowable. It is therefore respectfully requested that any objections and/or rejections be reconsidered and withdrawn, and that the present application issue as early as possible.

Respectfully submitted, *By C. Blushy*
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